



**International
Human Rights
Instruments**

Distr.
GENERAL

HRI/CORE/1/Add.77
25 September 1996

Original: ENGLISH

CORE DOCUMENT FORMING PART OF THE REPORTS OF STATES PARTIES

LIBYAN ARAB JAMAHIRIYA

[23 May 1996]

Geographical and demographic features

1. The Libyan Arab Jamahiriya is situated in central North Africa between latitudes 18° and 23° N and longitudes 9° and 25° E. It is bounded on the east by Egypt and the Sudan, on the west by Tunisia and Algeria and in the south by Chad and Niger. It has a southern Mediterranean coastline of about 1,800 km and covers a total area of 1,775,500 km², which makes it the fourth largest country in Africa after the Sudan, the Congo and Algeria.

2. Its total population in 1990 was estimated at about 3,947,200 persons.

The general state of the national economy

3. The national economy has achieved tremendous results in various fields by exploiting petroleum resources to implement socio-economic projects in areas relating to agricultural and industrial production, energy and roads, the purpose being to create an economy based on sectors other than petroleum, which is a diminishing and unstable resource.

4. The world economic crisis that began in the early 1980s had a direct impact on petroleum markets, in which prices dropped to a very low level. Marketing policy and the need to maintain prices and establish ceiling production levels inevitably caused a further deterioration. All this had a direct effect on the income of the petroleum-exporting countries, including the Libyan Arab Jamahiriya. In 1989, gross domestic product (GDP) at current income factor cost was estimated at about 7,223.5 million Libyan dinars and the available statistics indicate that the contribution of non-petroleum economic activities to GDP rose from 36.9 per cent in 1970 to 72.9 per cent in 1989, at current income factor cost.

5. With a view to achieving balanced economic growth in all sectors and regions and establishing a fundamental development base, the national economy was bolstered by fixed investments that amounted to more than 28,429 dinars during the period from 1970 to 1988.

6. The available statistics indicate that average per capita cash income in the Libyan Arab Jamahiriya, based on per capita share of GDP, rose from 642 dinars in 1970 to 1,572 dinars in 1989, i.e. an annual compound rate of growth of 4.9 per cent.

7. During the period from 1970 to 1990, GDP at current income factor cost rose from 1,288.3 million dinars in 1970 to about 7,816.8 million dinars in 1990, i.e. an annual compound rate of growth of 9.4 per cent.

8. Average annual development spending, which amounted to about 264 million dinars during the period from 1970 to 1972, rose to 734.3 million dinars under the Development Plan for 1973-1975, to about 1,651.8 million dinars under the Transition Plan for 1976-1980 and to about 2,138.6 million dinars under the Transition Plan for 1981-1985. During the period from 1986 to 1990, average annual expenditure amounted to about 898.3 million dinars.

9. The average per capita share in development spending rose from 376 dinars during the period 1970-1972 to 876 dinars under the Development Plan for 1973-1975, to 2,723 dinars under the Transition Plan for 1976-1980 and to 2,899 dinars under the Transition Plan for 1981-1985. During the period from 1986 to 1990, however, owing to the decline in appropriations and hence in development spending, the average per capita share in development spending was estimated at about 1,038 dinars.

10. The implementation of the transition plans and budgets during the period from 1970 to 1990 led to an increase in GDP at current income factor cost from 1,288.3 million dinars in 1970 to about 7,816.8 million dinars in 1990, i.e. an average annual compound rate of growth of about 9.4 per cent.

11. During the same period, total output deriving from non-petroleum economic activities rose from 475.7 million dinars in 1970 to about 5,566.7 million dinars in 1990, i.e. an estimated average annual compound rate of growth of 13.1 per cent.

Average growth of per capita income based on per capita share of GDP
1970-1990

1970:	GDP at current income factor cost:	1,288.3 million dinars
	Total population at mid-year:	2,006,000 persons
	Per capita income:	US\$ 2,169
1990:	GDP at current income factor cost:	7,816.8 million dinars
	Total population at mid-year:	3,947,200 persons
	Per capita income:	US\$ 5,400

The political and legal systems

12. Following the revolution of 1 September 1969, sovereignty has been exercised by the people in accordance with the Constitutional Declaration of 11 December 1969, article 1 of which stipulates that:

"Libya is a free and democratic Arab republic in which sovereignty is exercised by the people. It forms part of the Arab nation and its aim is the achievement of full Arab unity. Its territory is part of Africa and it is known as the Libyan Arab Republic."

13. However, subsequent to the Declaration, on 12 Rabi I 1397 A.H., corresponding to 2 March 1977, the political system of the Jamahiriya has been based on the "people's authority". Article 2 of the Declaration stipulates that:

"The Holy Qur'an is the social code in the Socialist People's Libyan Arab Jamahiriya, since authority belongs solely to the people, by whom it is exercised through people's congresses, people's committees, trade unions, federations and professional associations (the General People's Congress, the working procedures of which are established by law)."

An outline of the political system, legislative and executive mechanisms and judicial authority in the Libyan Arab Jamahiriya

14. The political system in the Great Socialist People's Libyan Arab Jamahiriya is based on direct popular democracy in which the masses play their political, economic and social role and take decisions concerning various aspects of public and private life.

15. The concept of direct popular democracy is based on the twin pillars of people's congresses and people's committees. The people's congresses embody the sovereign decision-making authority, since sovereignty belongs to the people who exercise it through the people's congresses. Executive authority is exercised by the people's committees.

16. The people as a whole take decisions through the people's congresses. The people also appoint the people's committees, which are the instruments responsible for implementation of the decisions taken by the people's congresses. The principle applied in the Jamahiri system (a system of direct popular democracy in which authority belongs to the people) is that the people's congresses take the decisions, which are implemented by the people's committees which are accountable to the congresses. Under the concept of direct popular democracy, the effective exercise of authority means that the people controls itself. It also means that there is no intermediary between political reality, consisting in authority, and social reality, consisting in the masses of the people.

17. At the basic people's congresses, the people take decisions on foreign policy, planning, the economy, education, health, defence, industry and justice and also promulgate legislation and appoint a people's committee to implement the decisions taken in each of those fields.

The legislative machinery

18. In keeping with this concept, legislative authority under the system of the people's authority is exercised by the basic people's congresses, which constitute the instrument by which laws are promulgated, amended or rescinded. The basic people's congresses have authority to promulgate legislation, whenever needed, to regulate any aspect of public or private activity.

The mechanism of collective participation in legislation

19. Whenever legislation is needed to regulate a particular field of social life, the popular masses participating in the people's congresses and assemblies raise and debate the issue on their own initiative. Their debates determine the broad outline and objective of the legislation and a summary of their conclusions is then referred to the people's committees of the Secretariat for Justice which, through its competent department, draws up a bill of law for submission at the next regular session of the people's congresses, which debate the text of the bill, any part of which they may amend or reject. When the text of the bill has been finalized and approved by the congresses, it is submitted, together with their recommendations, to the General People's Congress which, after considering all the opinions and amendments, promulgates the bill, which enters into force on the date of publication in the Official Gazette.

20. As an alternative procedure, the General People's Committee or the other secretariats, each within its particular field of jurisdiction, may submit a bill of law to the next session of the people's congresses, which discuss the bill and make any necessary amendments or reject it and send it back, with comments, to the competent people's committee so that it can be resubmitted to the congresses after any shortcomings have been rectified. In the event of the bill being approved, it is referred, together with any comments or amendments, to the General People's Congress. The latter, being the general forum in which the congresses, people's committees, trade unions and professional associations meet, acts as an expanded general drafting committee to finalize the bill, which enters into force, following its promulgation by the General People's Congress, on the date of its publication in the Official Gazette.

21. The mechanism of collective participation by the people in the promulgation of legislation is therefore a two-track process in which the people's congresses can either take the initiative or discuss bills of law submitted by the General People's Committee or the people's committees of the various secretariats. In both cases, this participation makes the people's congresses the sole legislative bodies in society. In actual fact, this is an expression of the sovereignty of the people, which is exercised through the people's congresses and assemblies.

The executive authority

22. This comprises all the activities of government agencies in the system of the people's authority and consists of the Secretariats for Justice, Health, Foreign Affairs, Planning, the Economy, the Treasury, Communications, Education, Petroleum, Defence, etc. These activities are undertaken by people's committees, appointed directly by the masses in the people's

congresses, which implement the decisions of the people's congresses in each of the above-mentioned fields. The people's committees report directly to the congresses in accordance with the principle of people's congresses, which take decisions, and people's committees, which implement those decisions and are themselves accountable to the congresses. This is the essence of direct popular democracy, as applied in Libya.

The judicial authority

23. This is exercised by the judicial machinery, consisting of the courts, the Department of Public Prosecutions and ancillary bodies staffed by criminal investigation officers.

24. The courts in Libya are of four types: civil courts, criminal courts, administrative courts and personal status courts (which apply Islamic law).

25. The Supreme Court, which is the highest judicial authority in the legal system, hears appeals brought before it in connection with civil, criminal, administrative and personal status judgements handed down by the highest courts of the four types.



International
Human Rights
Instruments

Distr.
GENERAL

HRI/CORE/1/Add.78
7 October 1996

Original: ENGLISH

CORE DOCUMENT FORMING PART OF THE REPORTS OF STATES PARTIES

THAILAND

[23 August 1996]

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I. LAND AND PEOPLE*

1. Thailand is situated in the south-east Asian mainland and covers an area of 513,115 sq. km, from North 5° 30" to 21° and from East 97° 30" to 105° 30". Thailand borders the Democratic People's Republic of Laos and the Union of Myanmar to the north, Cambodia and the Gulf of Thailand to the east, the Union of Myanmar and the Indian Ocean to the west, and Malaysia to the south. The country has a warm and rather humid tropical climate and a landscape of surprising diversity, from the mountainous north and the north-east plateau, to the alluvial central plain to the southern peninsula with its narrow coastal lowland backed by high mountain ranges.

2. Thailand's estimated 1992 population of 57.9 million increases by about 1 million persons per year. Around 70 per cent of the labour force is in the agricultural sector, producing rice, tapioca, sugarcane, maize, etc. Thai farmers, long considered to be the "backbone" of the economy, have traditionally been rice cultivators. Rural farm life is still primarily that of a farm family situated in a village of other farm families where activities related to the community's Buddhist temple are important. Despite some use of chemical fertilizers, pesticides, tractors and attempts at collectivism, this type of rural life is still much as it was centuries ago. Work, usually done by hand or with a water buffalo, is shared by the entire family, which consumes the products from its own fields and sells any surplus.

3. While still predominant, this type of life is rapidly disappearing as the rural economy has become increasingly monetized and small farmers have been actively encouraged to grow cashcrops. Farming has become more and more a business enterprise and less a holistic way of life. The influence of agrobusiness has had major effects upon the traditional farmer, who is directly susceptible to exploitation in this process. Small farmers, especially in the north-east, have been subjected to increasing landlessness and have a growing problem of debt. These problems are reflected in the incidence of poverty among the rural population.

4. Urban life in Thailand principally refers to Bangkok, by far the largest city. Family life there is typified by the nuclear family in which both husband and wife are employed (in either the formal or informal sectors) and children attend schools. This pattern, however, is not universal. There are significant numbers of unmarried adults, of single-parent households, and of other living arrangements in which people are managing to cope. The growing middle classes of Thailand live primarily in urban areas.

5. Development policy in the first three national plan periods (1961-1976) was characterized by government support to private enterprise, in contrast to the prior approach of direct State enterprise. Government became increasingly active in providing economic infrastructure and a legal and institutional environment conducive to private-sector investment. Beginning in the early 1970s, the national plans noted with concern the growing income

* This report was prepared in the 1992-1995 period.

disparities. Social development planning emerged, in conjunction with economic planning. A strategy to narrow income gaps was added to the Third National Plan (1972-1976).

6. The Fourth National Development Plan (1977-1982) was characterized as the "big push period, emphasizing the promotion of small- and medium-scale industries to sustain the growth of the industrial sector". The Fifth and Sixth National Development Plans (1983-1991) were a period of transformation into a manufacturing, export-led economy. It emphasized further export-oriented production, regional industrialization, implementation of large-scale industrial development programmes, expansion of basic industries, active mobilization of foreign investments, increased efficiency of management, utilization and exploitation of resources. Thailand's increased international competitiveness is due to the success of these policies, to an enormous increase in private domestic investment, and most of all to the literate and relatively inexpensive supply of labour.

7. Despite the several military coups d'état the orientation of Thailand's development policies has remained the same throughout the last four decades, thus enhancing continuity and stability. Private enterprise has been encouraged while at the same time substantial investment has been made in the health and basic education of its population.

8. The main economic indicators and statistical data are as follows:

Area:	513,115 square kilometres
Population:	58.8 million (1993)
Male:	29,018,092
Female:	28,770,873
In municipal area:	approx. 10.2 million (1992)
In non-municipal area:	approx. 46.8 million (1992)
Population per 1 square km:	113 (1992)
Birth rate per 1,000 population:	20.3 (1992)
Death rate per 1,000 population:	6.1 (1992)
Life expectancy at birth (years):	65.8 (M), 70.5 (F) (1992)
Population growth rate:	1.4% (1992)
Total fertility rate:	2.2% (1992)
Gross Domestic Product (GDP):	3,585 billion baht (1994)
GDP per capita:	60,346 baht (1994)

Rate of economic growth:	8.2% (1993)
Rate of employment:	96.55% (1993)
Consumer Price Index:	5.0 (1994)
Average wage of employees per day:	118.75 baht (1993)
Number of households (1992)	
- Municipal area:	2,367,180
- Non-municipal area:	9,943,053
Divorce rate:	10.0% (1991)
Adult literacy rate:	92.58% (1992)
Number of tourists visiting Thailand:	6,166,496 (1994)
Percentage of population with access to drinking water:	86 (1994)
Percentage of population with access to health services:	90 (1994)
Number of motor vehicle registrations:	1,041,246 (1993)
Rice planted area and production (1994-1995)	
- area planted (thousand rais):	59,251
- production (thousand tons):	18,447
Major agricultural products:	Sugar-cane, cassava, maize, rice, peanut, soy bean, cotton, sorghum, kenaf, mung bean (1994).
Production of minerals:	Limestone, lignite, gypsum, kaolin, glass sand, fluorite, iron, lead, pyrophyllite, barite (1994)
Value of imports, exports and balance of trade (1994) (in billion baht)	
- imports:	1,364.215 baht
- exports:	1,133.283 baht
- balance of trade:	230.931 baht
Principal exports:	Textile products, rice, cassava and products, precious stones and metals, natural rubber, integrated circuit (1994).

Principal imports:	Capital goods, intermediate products and raw materials, fuel and lubricant, petroleum and shale oils (1994).
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Balance of Payment:	20.0 billion baht (1994)
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9. Children and youth profiles:

(a) Population

Number of children (0-14 yrs.):	18.5 million (1992)
Percentage of total population:	31.46
Number of youth (15-24 yrs.):	12.27 million (1992)
Percentage of total population:	20.7

(b) Nutrition

Percentage of total number of infants weighed less than 2,500 grs.:	9.04 (1992)
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Percentage of children (under 5 yrs)
with malnutrition (1992)

Level 1:	14.75
Level 2:	0.70
Level 3:	0.01

Percentage of students who have lunch:	83.23 (1991)
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Percentage of students who do not have lunch:	16.79 (1991)
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Percentage of breast-feeding mothers (1993)

- 3 months:	85.9
- 6 months:	80.3
- 12 months:	66.7

(c) Health

Percentage of full-course immunization in children
(under 1 yr) (1991-1993)

BCG:	98
DTP:	92
Polio:	92
Measles:	86

Percentage of diarrhoea surveillance in children (under 5 yrs)	1.33 (1991)
Infant mortality (under 5 yrs) per 1,000 births:	33 (1991)
Percentage of child mortality (1-14 yrs):	3.02 (1991)
Percentage of youth mortality (15-24 yrs):	6.45 (1991)
Number of children and youth drug addicts:	21,410 (1993)
Number of venereal diseases and sex-related diseases in children and youths:	50,669 (1993)
(d) Education	
Enrolment ratio (1992)	
- Primary level:	92.58
- Lower secondary level:	36.20
- Upper secondary level:	25.29
- Higher education:	20.52
Transition rate (1992)	
- Primary/Lower secondary:	61.62
- Lower/Upper secondary:	85.61
(e) Employment	
Number of children and youth (13-18 yrs) in labour force (in thousands):	4,740,200 (1992)
Number of employed children and youth (13-24 yrs):	3,994,800 (1992)
Number of unemployed children and youth (13-24 yrs):	734,400 (1992)
Rate of employed children and youth (13-24 yrs) in major fields of industry (1992)	
- Agriculture, forestry, livestock raising and fisheries:	49.5%
- Manufacturing:	5.7%
- Commerce:	2.7%
- Services:	8.1%
- Others:	6.5%

(f) Social and ethical problems

Number of juvenile delinquents and children
inappropriate behaviour

- Inappropriate behaviour: 3,413 persons (1993)
- Behavioural problem children, to
sent welfare institutions: 155 persons (1993)
- Juvenile delinquents, sent to
juvenile courts: 2,878 persons (1993)
- Convicted youth: 2,539 persons (1993)

Number of abandoned children in government
hospitals (0-5 yrs): 605 persons (1992)

Number of street children in Bangkok
(reported cases): 2,051 persons (1992)

Number of child and youth deaths from
homicide and injury wilfully inflicted
by other persons: 977 persons (1990)

Number of children in welfare institutional
care (1990)

- governmental institutions: 9,870 persons
- non-governmental institutions: 52,345 persons

Number of children in foster care and
adoptive care (1992): 759 persons

Number of novices and temple boys

- novices: 127,638 persons (1992)
- temple boys: 69,294 persons (1992)

II. GENERAL POLITICAL STRUCTURE

10. Thailand is governed by a constitutional monarchy, similar in many ways to the United Kingdom, with the King as head of State. Ever since the founding of Sukhothai in 1238, Thailand has had a pyramidal Government structure, uniting the three pillars of nation, religion and monarchy. The present constitutional monarchy dates back to 1932 when King Prajadhipok (Rama VII) agreed to abolish absolute monarchy and transferred power to the constitutional system which is in force today. The latest constitution was promulgated in 1991. Thailand's political environment, while giving the impression of fragility due to the number of coups d'état, has actually exhibited a remarkable degree of stability because of the strength behind the constitutional monarch.

11. In 1994 Thailand had 65,169 villages, 986 sanitary districts (non-municipal areas), 143 municipalities, 7,159 Tambon (sub-districts), 729 Amphoe (districts), 101 lesser districts, and 76 provinces including

Bangkok. At the village level, the Government is represented by the pu-yai ban or village headman, who is responsible for social harmony and local government. Village commune councils, headed by a kamnan, are the link between village and the district officer, Nai Amphoe, who is the kamnan's immediate superior. District officers report to the provincial governor; both are appointed, not elected, officials. The provincial governors and district chiefs are under the jurisdiction of the Ministry of Interior.

12. At the national level, executive power is administered and legislation proposed by the Cabinet, on which all ministries are represented. The Cabinet is chaired by the Prime Minister, whose post was established in 1933. Since 1958, prime ministers have played a dominant role in running the nation. Each ministry is headed by a political appointee, the minister, who is automatically a member of the Cabinet.

13. The administrative head of a ministry is the Permanent Secretary, a career civil servant who has administrative control over all departments. Each department is headed by a Director-General, who is responsible for the overall administrative and budgetary management and control over his or her own department. For each fiscal year, all departments and ministries are responsible for the preparation of budget proposals which are submitted to the Bureau of the Budget under the Office of the Prime Minister. The House Committees on public health, education, public welfare, defence, etc., will scrutinize all budgetary proposals and recommend their approval to the House of Parliament. The House normally approves all budget allocations in September. The budget for fiscal year 1991-1994 stands at 625 billion baht (US\$ 25 billion).

III. THE JUDICIARY AND THE ADMINISTRATION OF JUSTICE

14. Founded upon the concept of a civil law system, the Thai justice administration and its machinery are organized through written legislation. All case proceedings, execution of laws safeguarding of justice, including all government rules and decrees, must solemnly conform to the laws promulgated.

15. According to the Law Governing Court Organization of 1934, three levels of courts were established, i.e., the courts of first instance, the courts of appeal and the Supreme Court. There are about 135 courts of first instance throughout the kingdom. In Bangkok Metropolis, they are composed of the civil court, the criminal court, the central juvenile and family court, the central labour court and the central tax court, including khwaeng courts, which have jurisdiction over small cases. In the provinces, they are composed of the provincial court, the provincial juvenile and family courts and khwaeng courts.

16. The courts of appeal consist of one Bangkok-based court of appeal and three regional courts of appeal. There is one Supreme Court with jurisdiction to review and adjudicate all cases, and the Court's judgements are final. However, in criminal cases the accused may petition His Majesty the King for clemency.

17. There are also military courts which deal primarily with military justice in criminal cases.

18. Thai courts adjudicate cases according to the law in the name of the King who is above politics in all aspects. The judges themselves are also protected from any political interference. Thus, their appointment and removal are effected by an exclusive and independent body, the Judicial Service Commission. Essentially, no new court shall be established with the purpose of trying any particular case.

19. Under Thai criminal proceedings, an injured person may institute a prosecution himself or lodge a complaint with the authorities concerned and have his case conducted by them. If the injured person lodges a complaint, the police inquiry officials will conduct an inquiry and file all facts and evidence for submission to the public prosecutor. After reviewing the file of inquiry, the public prosecutor may issue an order of prosecution and transmit the case to the court or issue an order of non-prosecution and release the alleged offender according to the evidence.

20. A suspect in a criminal case is guaranteed the presumption of innocence and the ultimate right to defend himself, including the right to counsel and other standard treatment of human rights protection. No judgement of conviction shall be delivered unless and until the court is fully satisfied that an offence has actually been perpetrated and that the accused has committed that offence. In case of doubt, the benefit will be granted to the accused.

21. In civil cases, anyone who is engaged in a dispute over rights and duties or who wants to exercise his rights through court proceedings is free to institute his case. Civil proceedings in Thai courts are governed mainly by the Civil Procedure Code of 1934.

22. In the course of today's business, however, the tendency is to rely on the arbitration system owing to its convenience, informality, and speed. The Thai justice administration recognized this trend by adopting the Arbitration Act of 1987.
